

## REMARKS

Claims 1-14 and 16-20 are pending in this application. Claims 1, 7, 16 and 19 have been amended. Claim 15 has been canceled without prejudice to or disclaimer of the underlying subject matter. No new matter has been added.

Applicants thank Examiner Pwu for the courtesy of the telephonic interview with Applicants' representative Sumeet Magoon on April 18, 2005. During the interview, Applicants' representative described the differences between independent claims 1, 7, 16 and 19 and the applied reference, Cheng et al., U.S. Patent No. 6,775,700. Applicants' representative described features, as described herein, that are not found in the applied reference. No agreement was reached.

In view of the foregoing amendments and following remarks, Applicants respectfully request the Examiner to reconsider and withdraw all outstanding grounds of rejection. Applicants respectfully request allowance of the application.

In paragraph 1 of the Office Action, the title of the invention has been objected to as not being descriptive. Applicants have amended the title to recite "Mechanism for Nested Expansion of Data Collection from one Computer to Multiple Computers." Applicants respectfully submit that the amended title is descriptive of the invention. Applicants respectfully submit that the objection with respect to the title has been overcome.

In paragraph 2 of the Office Action, the drawings have been objected to. The Office Action states that Figure 1 should be designated as "Prior Art." Applicants submit herewith corrected drawing sheets in compliance with 37 C.F.R. 1.121(d). Applicants submit that the objection to the drawings has been overcome.

The Office Action rejects under 35 U.S.C. 102(e) claims 1-20 as being anticipated by Cheng et al., U.S. Patent No. 6,775,700 (hereinafter "*Cheng*").

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 Fed. Cir. 1987).

Applicants submit that the applied reference does not expressly or inherently describe each and every element of the claimed invention.

Applicants respectfully submit that *Cheng* does not disclose or suggest, at least,

a requesting CIMOM, provided on the requesting Node..., wherein the requesting Node comprises a Multiplex Provider for communicating the request to additional CIMOM Nodes on the Cluster; and

at least one additional CIMOM Node on the Cluster and connected to the requesting CIMOM Node,

wherein, in response to the request, the Multiplex Provider sends a broadcast probe to the at least one additional CIMOM Node on a Cluster, wherein the requesting Node receives a reply from the at least one additional CIMOM Node and forwards the reply to the Client CIM and based on a scope of query received from the Client CIM, the requesting CIMOM transmits a query to one or more CIMOM nodes on the Cluster,

as recited, among other features, in independent claim 1 (as presented). Support for these features can be found in the specification beginning at page 7, line 23 and Figures 3, 4A and 4B.

*Cheng* at Figure 1 shows a Managed System A 10 including CIMOM 50, Managed System B 20 including CIMOM 70 and Managed System C 30 including CIMOM 90. As can be seen in Figure 1, each of the CIMOMs 50, 70 and 90 are coupled to each of the CIM Client Applications located in CIM Clients 100, 110 and 120.

*Cheng* at Figure 2 shows a Proxy CIMOM 200 connected to CIM Client 100, 110 and 120. The Proxy CIMOM 200 is also connected to Managed System A 10, Managed System B 20, and managed System C 30. Figure 7 of *Cheng* also shows only a single CIMOM, Proxy CIMOM 200.

As can be seen from Figures 1 and 2 of *Cheng*, *Cheng* does not disclose or suggest, at least, a Multiplex Provider included in the requesting Node “for communicating the request to additional CIMOM Nodes on the Cluster,” as claimed. In addition, *Cheng* fails to disclose or suggest “wherein, in response to the request, the Multiplex Provider sends a broadcast probe to the at least one additional CIMOM Node on a Cluster...and based on a scope of query received from the Client CIM, the requesting CIMOM transmits a query to one or more CIMOM nodes on the Cluster,” as recited, among other features, in independent claim 1, as presented. Therefore, Applicants respectfully submit that independent claim 1 (as presented) is in condition for allowance over the applied art for at least these reasons.

With respect to independent claim 7, Applicants submit that *Cheng* does not disclose or suggest, at least,

communicating the request, via the Multiplex Provider, to more than one CIMOM Node;

receiving information from at least one CIMOM Node, through the Multiplex Provider;  
...receiving a scope of query from the Client; and  
transmitting a query to one or more CIMOM nodes on the Cluster based on the scope of query received from the Client,  
as recited, among other features, in independent claim 7 (as presented). *Cheng* does not disclose or suggest a Multiplex Provider for communicating with more than one CIMOM Node, as claimed. In addition, as stated above, *Cheng* fails to disclose or suggest the additional features recited in independent claim 7. Therefore, Applicants respectfully submit that independent claim 7 (as presented) is in condition for allowance over the applied art for at least these reasons.

Applicants respectfully submit that *Cheng* does not disclose or suggest, at least,  
communicating a scope of the request...wherein the scope is determined by a Client based upon a result of a discovery, wherein the discovery further comprises sending a query from a requesting CIMOM Node to at least one additional CIMOM Node on the Cluster, the query further comprising a request for an identification of at least one of a Node, Resource, Provider and object that is accessible via the Cluster,  
as recited, among other features, in independent claim 16 (as presented). The method steps of Figures 3-5 in *Cheng*, cited in the Office Action, do not disclose or suggest at least these features of independent claim 16. The method steps of Figures 3-5 only relate to a single Proxy CIMOM and do not disclose suggest sending a query from a requesting CIMOM Node to at least one additional CIMOM Node on the Cluster, as claimed. Therefore, Applicants respectfully submit that independent claim 16 (as presented) is in condition for allowance over the applied art.

Applicants respectfully submit that *Cheng* does not disclose or suggest, at least,  
receiving from the Client, via the Client CIM, a scope for the query, wherein the scope includes an identification of the one additional CIMOM Node, Resource and Provider that responded to the broadcast probe to whom the Client desires to communicate the query;  
communicating the query to at least one of the CIMOM Nodes, Resources and Providers identified by the scope of the query;  
receiving information in response to the query from at least one of the CIMOM Nodes, Resources and Providers identified by the scope of the query;  
compiling the information received into a table; and  
providing the compiled data to the Client via the Client CIM,  
as recited, among other features, in independent claim 19 (as presented). As stated above, *Cheng* does not disclose or suggest at least a Client CIMOM and an additional CIMOM

Node, as claimed. Therefore, Applicants respectfully submit that independent claim 19 (as presented) is in condition for allowance over the applied art for at least these reasons.

Independent claim 20 is directed to a computer readable medium containing instructions for implementing the process of claim 19. Therefore, independent claim 20 is in condition for allowance for at least the reasons stated above with respect to independent claim 19.

Claims 2-6 depend from independent claim 1, claims 8-14 depend from independent claim 7, and claims 17-18 depend from independent claim 16. Therefore, claims 2-6, 8-14, and 17-18 are in condition for allowance over the applied art for at least the reasons stated above and for the additional features recited therein.

### **CONCLUSION**

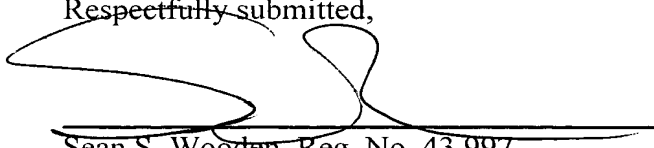
In view of the above remarks, Applicants believe that the rejection against this application has been fully addressed and that the application is now in condition for allowance. Therefore, withdrawal of the rejection and a notice of allowance for the application are respectfully requested.

It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 08-2025.

If the Examiner believes that a personal or telephonic interview would be of value in expediting the prosecution of this application, the Examiner is hereby invited to telephone the undersigned counsel to arrange for such a conference.

Respectfully submitted,

Date: **May 10, 2005**



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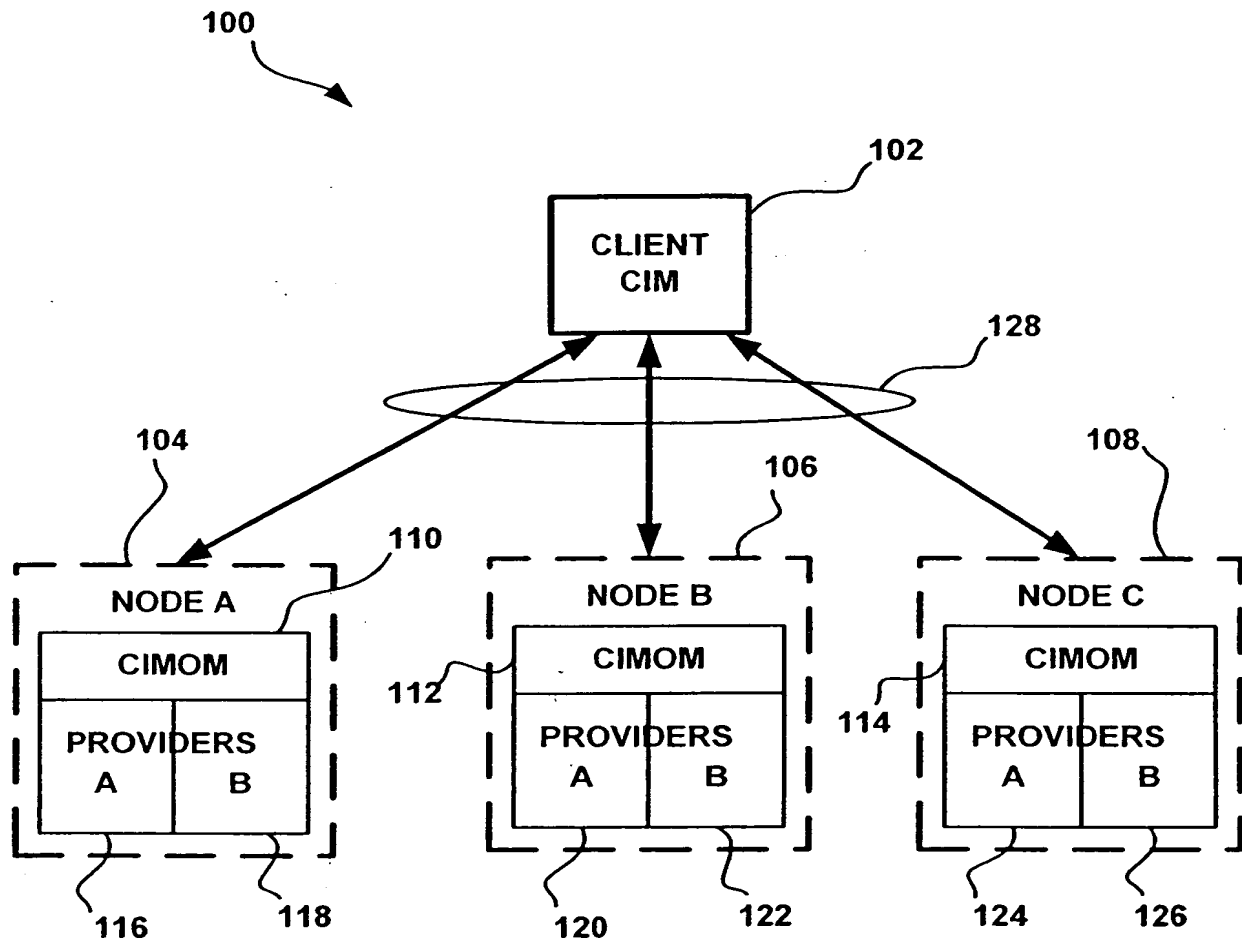
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Attachments

**Amendments to the Drawings:**

The attached sheets of drawings include changes to Figure 1. The attached sheet, which includes Figure 1, replaces the original sheet filed. Figure 1 has been amended to include the terms "Prior Art."

Attachment:            Replacement Sheet  
                             Annotated Sheet Showing Changes



(Prior Art)

*Terms  
Added*

**FIG. 1**